

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROBERT HANKINS, }  
Plaintiff, } Civil Action No. 08-219 Erie  
v. }  
JEFFREY BEARD, et al., }  
Defendants. }

**MEMORANDUM ORDER**

This civil rights action was received by the Clerk of Court on July 31, 2008, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's oral Report and Recommendation [Doc. No. 111], entered on the record on June 18, 2010 [Doc. No. 112], recommended that the Plaintiff's Motion for Preliminary Injunction [Doc. No. 106] be granted in part and denied in part. Specifically, the Magistrate Judge recommended that the motion be granted as to the property exchange and denied in all other respects.

The parties were allowed fourteen (14) days from the date of service to file objections. Service was made on Plaintiff by certified mail and on Defendants. Defendants filed a document entitled "Notice to the Court Regarding Oral Report and Recommendation Dated June 18, 2010" [Doc. No. 113] and Plaintiff filed a document entitled "Sanctions Notice to the Court Regarding Defendants Oral Report and Recommendation Dated June 25, 2010" [Doc. No. 115], which the Court has construed as objections. After de novo review of the motion and documents in the case, the transcript of the proceedings in the case, and the oral Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 26<sup>th</sup> day of July, 2010;

The oral Report and Recommendation [Doc. No. 111] of Magistrate Judge Baxter, entered on the record on June 18, 2010 is adopted as the opinion of the Court.

It appears, however, that a property exchange occurred on June 22, 2010, rendering the Plaintiff's motion in that regard moot.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge